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6 Attorneys for Chapter 11 Trustee
KYLE EVERETT

8
9 **UNITED STATES BANKRUPTCY COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **OAKLAND DIVISION**

12 In re

13 PACIFIC THOMAS CORPORATION, dba
14 PACIFIC THOMAS CAPITAL, dba
SAFE STORAGE,

15 Debtor.

Case No. 12-46534 MEH

Chapter 11

**DECLARATION OF CRAIG C. CHIANG
IN SUPPORT OF CHAPTER 11
TRUSTEE KYLE EVERETT'S ANSWER
IN OPPOSITION TO MOTION FOR
LEAVE TO FILE INTERLOCUTORY
APPEAL**

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18 I, Craig C. Chiang, declare:

19 1. I am an attorney at law duly licensed to practice before this Court and am Senior
20 Counsel to the law firm of Buchalter Nemer, A Professional Corporation, counsel to Kyle Everett,
21 the Chapter 11 trustee of the bankruptcy estate of Pacific Thomas Corporation dba Pacific
22 Thomas Capital dba Safe Storage. If called upon to testify as to the matters set forth herein, I
23 could and would competently testify thereto as these matters are personally known to me to be
24 true. As to matters stated based on information and belief, I would competently testify as to those
25 matters as I believe them to be true.

26 2. A true and correct copy of the Bankruptcy Court's Order Denying Motion to
27 Dismiss, entered on June 27, 2013 in Adversary Proceeding No. 13-04079, is attached hereto
28

1 Exhibit A.

2 3. A true and correct copy of the Declaration of Chapter 11 Trustee Kyle Everett in
3 Support of Motion to Sell Real Property Free and Clear of Certain Interests, filed on May 30,
4 2013 in Bankruptcy Case No. 12-46534, is attached hereto Exhibit B.

5 4. A true and correct copy of the Declaration of Chapter 11 Trustee Kyle Everett in
6 Support of Reply to Oppositions to Motion to Sell Real Property Free and Clear of Certain
7 Interests, filed on June 20, 2013 in Bankruptcy Case No. 12-46534, is attached hereto Exhibit C.

8 5. A true and correct copy of Chapter 11 Trustee Kyle Everett's Complaint for (1)
9 Declaratory Relief, (2) Accounting, (3) Turnover, and (4) Injunctive Relief, filed on April 11,
10 2013 in Adversary Proceeding No. 13-04079, is attached hereto Exhibit D.

11 6. A true and correct copy of Randall Whitney's Motion to Dismiss Adversary
12 Proceeding and Memorandum of Points and Authorities, filed on May 13, 2013 in Adversary
13 Proceeding No. 13-04079, is attached hereto Exhibit E.

14 7. A true and correct copy of Chapter 11 Trustee Kyle Everett's Opposition to the
15 Motion to Dismiss Adversary Proceeding, filed on June 13, 2013 in Adversary Proceeding No.
16 13-04079, is attached hereto as Exhibit F.

17 8. A true and correct transcript of the Bankruptcy Court's findings and conclusions
18 on Chapter 11 Trustee Kyle Everett's Motion to Sell Real Property Free and Clear of Certain
19 Interests and on Randall Whitney's Motion to Dismiss Adversary Proceeding is attached hereto as
20 Exhibit G.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct and that this Declaration is executed on July 24, 2013, in San
23 Francisco, California.

24 /s/ Craig C. Chiang